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New Schools Better Neighborhoods
PROMOTING A 21ST CENTURY VISION FOR CALIFORNIA'S URBAN SCHOOL DISTRICTS

The Insider's Guide To Managed Growth

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Hertzberg Outlines Bold Borough Plan For Governing City of L. A.

The idea of Los Angeles being governed by a borough style of government has been tossed around for nearly 100 years. Finally, as the city stands on the brink of subdivision, it appears as if the time has come for boroughs to be thoroughly considered and analyzed as an alternative to the secession measures already on the November ballot. Speaker Emeritus Robert Hertzberg has drafted a plan by which Los Angeles will be divided into nine boroughs, no longer led by a City Council, but by a Board of Borough Presidents. TPR is pleased to present this excerpt of Assemblyman Hertzberg's proposal.

Robert Hertzberg

Download a copy of Speaker Hertzberg's proposal
Proposed Borough Amendments (PDF, 7MB)

These are tempestuous days for the City of Los Angeles. The debate surrounding secession raises important questions and stirs high emotions. While we engage in this critical discussion, we must not lose perspective on the distance our city has traveled. Taking into account both our challenges and our accomplishments, the history of Los Angeles is nothing less than a story of phenomenal success.

Los Angeles has always been an innovator in government. Located far from major sources of water or rivers, our forebears created unique systems for delivering water and power. At a time when the industrial age was showing the benefits of economic scale and professional management, the system developed in L.A.worked and was widely seen as a model for cities worldwide.

The society created under our system, albeit with certain flaws, was among the most creative ever forged. For the first time in American history, we established a city on the Pacific that has led the nation in everything from manufacturing and trade to mass entertainment. Our spirit of innovation has captured the imagination of the world. Los Angeles embodies originality in thinking and boldness of spirit.

Immigrants from more than a hundred countries tell stories of a city of new beginnings and opportunities. Los Angeles leads the nation as a center of Latino, African-American and Asian commerce; no city has more unique ethnic or cultural enclaves or more mixing among races.

Our growth has been anything but conventional. A city "built around freeways and automobiles," our design continues to evolve. Years of constant growth have strained the resources of our city to live up to the needs and expectations of our people. Yet as the region has sprawled, Angelenos, like urbanites elsewhere, increasingly look inward, toward their communities, neighborhoods and places of worship.

Each of us identifies with the issues we face in the communities where we live. Whether it's mothers in East Los Angeles fighting to improve their children's education, or senior citizens in Woodland Hills lobbying for a traffic light, the energy of this city draws from our sense of place and connection to where we shop, where our children play and where we find everyday meaning in our lives. In surveys, Angelenos usually express satisfaction with their neighborhoods even while feeling ambivalent about the city as a whole.

How do we capture the vibrancy of our communities and translate that spirit of governance? First and foremost, we must recover our sense of place and build our renewed sense of cityhood on the foundation of these neighborhoods and how people feel toward them.

Recent efforts to restore our City Charter have helped the role of our mayor and define the need to effectively manage regional decisions. But the current governing structure doesn't foster a sense of place, nor does it provide us with the means to assert control over our lives. A city must provide more than the delivery of services; it must instill a sense of belonging and purpose.

Our task is to envision a system of governance that will renew our sense of democracy and empower our commitment to the future. We need to bring the spirit of innovation back to our government; our dynamism, diversity and technological development demand new solutions to meet the challenges of the new century.

It is our hope that this proposal will foster constructive debate and discussion worthy of the citizens of L.A. ...

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MOCK-UP OF BOROUGH AMENDMENTS TO LOS ANGELES CITY CHARTER

PREAMBLE

We the people of Los Angeles, in order to establish a responsive, effective and accountable government through which all voices in our diverse society can be heard; to provide fair representation and distribution of government resources and a safe, harmonious environment based on principles of liberty and equality, do enact this Charter.

In particular, the intention of this Charter is to create a framework for a better system of governing the City of Los Angeles; to restore the ability of the average citizen to play a role in the democratic process, and thus, to select representatives more closely connected to community concerns; to reduce the size of districts, thereby lowering the cost of running for office and attracting candidates from a wider spectrum to better reflect the concerns of the local community.

In addition, with increased opportunity for involvement in the decision-making process, to create a growing sense of identification at the neighborhood level; to provide the means whereby the delivery of neighborhood services would be directed by the people receiving those services; to create local 'city halls' that would increase access to government; to engender a stronger sense of community, building on the existing neighborhood councils, leading to a more engaged and responsive citywide government.

Further, to incorporate the diversity and vitality of our varied communities into our system of governance; to promote a framework of shared values that fosters constructive debate and balances the legitimate concerns of all communities with those of the city at large; to endorse the role of a strong mayor with the ability to make equitable citywide decisions; to insure equitable distribution of resources throughout the city; to build into our governing structure the creative tension necessary for government to work effectively both at the local and regional level; to derive strength from a renewed commitment to the local community, our city government, thereby restoring the Charter's original purpose -- to represent and serve the interests of all the people of Los Angeles.

ARTICLE I

INCORPORATION AND POWERS

SEC. 108. REVENUE NEUTRALITY.
The implementation, on July 1, 2003, of the Boroughs system of government shall be revenue neutral.

ARTICLE II

OFFICERS OF THE CITY

GENERAL PROVISIONS RELATED TO OFFICERS

SEC. 204. ELECTION OF ~~CITY COUNCIL MEMBERS~~ BOROUGH REPRESENTATIVES; REDISTRICTING.

(a) **Redistricting by Ordinance.**

~~Commencing in 2002~~ By January 1, 2003, the Council and, after July 1, 2003, the Board of Presidents, shall by ordinance ~~redraw~~ draw district lines to be used for all elections of ~~Council members~~ Borough Representatives, including their recall, and for filling any vacancy in the office of ~~member of the Council~~ Borough Representative, after the effective date of the redistricting ordinance. Districts so formed shall each contain, as nearly as practicable, equal portions of the total population of the City as shown by the Federal Census immediately preceding the formation of districts and respect the boundaries of the neighborhood councils. There shall be nine Boroughs with five districts, numbered 1 through 5, within each Borough.

(b) **Redistricting Commission.**

There shall be a Redistricting Commission to advise the Council or, after July 1, 2003, the Board of Presidents on drawing of ~~Council~~ Borough Representative district lines. The Commission members shall be appointed in the following manner: one by each Council or Board of Presidents member except that the Council President or Chair of the Board of Presidents shall appoint two members, three by the Mayor, one by the City Attorney, and one by the Controller. No City officer or employee shall be eligible to serve on the Commission. The Redistricting Commission shall appoint a director and other personnel, consistent with budgetary approval, which positions shall be exempt from the civil service provisions of the Charter.

(c) **Redistricting Process.**

The Redistricting Commission shall be appointed no later than the date by which the Census Bureau is to release decennial census data. A new Commission shall be appointed to advise the Council or, after July 1, 2003, the Board of Presidents, prior to each subsequent redistricting. The Commission shall begin the redistricting process at any time after the necessary data are obtained from the most recent Federal Census, but no later than ~~January 1, 2002~~ November 6, 2002, and each subsequent tenth anniversary of ~~that date~~ January 1, 2002. The Commission shall seek public input throughout the redistricting process. The Commission shall present its proposal for redistricting to the Council no later than a date prescribed by ordinance.

The Council shall adopt a redistricting ordinance no later than ~~July 1, 2002~~ January 1, 2003, ~~and each subsequent tenth anniversary of that date~~. After July 1, 2003, the Board of Presidents shall adopt a redistricting ordinance no later than July 1, 2012, and each subsequent tenth anniversary of that date. Nothing in this section shall prohibit the ~~Council~~ Board of Presidents from redistricting with greater frequency provided that districts so formed each contain, as nearly as practicable, equal portions of the total

population of the City as shown by the Federal Census immediately preceding the formation of districts or based upon other population reports or estimates determined by the Council to be substantially reliable.

(d) **Criteria for Redistricting.**
All districts shall be drawn in conformance with requirements of state and federal law and, to the extent feasible, shall keep neighborhoods and communities intact, utilize natural boundaries or street lines, and be geographically compact.

(e) **Effect of Redistricting on Incumbents.**
No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any ~~member of the Council~~ Borough Representative prior to expiration of the term of office for which the member was elected.

(f) **Annexation or Consolidation.**
Any territory annexed to or consolidated with the City shall, prior to or concurrently with completion of the proceedings therefor, be added to an adjacent district or districts by the Council by ordinance, which addition shall be effective upon completion of the annexation or consolidation proceedings notwithstanding any other provision of the Charter to the contrary.

(g) **Terms.**
The terms of office for those ~~members of the Council~~ Borough Representatives elected from odd-numbered districts shall commence during each fourth anniversary of the year ~~1997~~ 2001, however, an initial term of two years shall commence in 2003 and for the members elected from even-numbered districts shall commence during 2003 and each fourth anniversary of the year ~~1999~~ 2003. These limitations on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office.

SEC. 205. TERM OF OFFICE.
The Mayor, City Attorney, Controller and members of the Council or, after July 1, 2003, the Borough Representatives shall hold their offices for a term of four years. The terms of all those officials shall commence on the first day of July next succeeding their election. Except where a vacancy in office is created pursuant to Section 207, the incumbents of the elected and appointed offices shall hold office until their successors have qualified.

SEC. 206. TERM LIMITS.
No person may serve more than two terms of office as Mayor.

No person may serve more than two terms of office as City Attorney.

No person may serve more than two terms of office as Controller.

No person may serve more than two terms of office as member of the City Council or, after July 1, 2003, as Borough Representative. If an individual served an initial two-year term as a Borough Representative, that term shall not count against the limit on the number of terms that may be served. Terms served as a member of the City Council shall not be counted against the limit on the number of terms that a Borough Representative may serve.

These limitations on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office.

SEC. 218. COMPENSATION OF ELECTED OFFICERS AND LIMITATION ON OUTSIDE ACTIVITIES.

(a) **Compensation.**

The Mayor, City Attorney, Controller and members of the Council shall receive compensation for their services only as provided in this section and shall not receive any other compensation for those services.

(1) **Salaries.** Members of the City Council or, after July 1, 2003, Borough Presidents shall be paid a salary equal to that prescribed by law for judges of the Municipal Court of the Los Angeles Judicial District or its successor in the event that court is dissolved or reconstituted. Borough Representatives shall be paid a salary equal to half that prescribed by law for judges of the Superior Court of the Los Angeles Judicial District or its successor in the event that court is dissolved or reconstituted.

The Controller shall be paid a salary that is 10% more than that of a Council member or Borough President. The City Attorney shall be paid a salary that is 20% more than that of a Council member or Borough President. The Mayor shall be paid a salary that is 30% more than that of a Council member or Borough President.

The Controller shall be responsible for ascertaining the salary of ~~Municipal~~ Superior Court judges and for setting and adjusting the salaries of elected officers in accordance with this section. Salaries shall be paid in bi-weekly increments unless the Council or Board of Presidents, by ordinance, prescribes otherwise.

(2) **Other Benefits.** The Council or, after July 1, 2003, the Board of Presidents may, by ordinance, subject to referendum as specified in Article IV of the Charter, confer benefits other than salary upon elected officers as additional compensation for their services. However, benefits from the Los Angeles City Employees' Retirement System may not be provided for elected officers that would exceed benefits generally provided to members of the System who are non-represented officers or employees of the City or, if there are no non-represented officers or employees, that would exceed benefits generally provided to other members of the System.

(3) **Operative Date of Changes in Salaries.** The salaries of elected officers shall be adjusted in the manner provided in this section upon the effective date of any change in the salaries of ~~Municipal~~ Superior Court judges.

(b) **Restrictions on Outside Activities.**

The Mayor, City Attorney, Controller, and members of the Council or, after July 1, 2003, Board Presidents shall devote their entire time to duties related to their offices.

They shall not receive any compensation, including honoraria, for their services other than that provided in this section, except that which may be provided for their serving on governmental entities where payment is authorized for other governmental officers or employees serving in that capacity. This prohibition does not apply to Borough Representatives that are not serving as Board Presidents.

LEGISLATIVE BRANCH

SEC. 240. LEGISLATIVE POWER.

All legislative power of the City except as otherwise provided in the Charter is vested in the Council or, after July 1, 2003, in the Board of Presidents and the Borough Boards and shall be exercised by ordinance, subject to the power of veto or approval by the Mayor as set forth in the Charter. Other action of the Council or the Board of Presidents and Borough Boards may be by order or resolution, not inconsistent with the duties and responsibilities set forth in the Charter or ordinance. Except as otherwise specifically provided in the Charter, the Council shall have full power to pass ordinances upon any subject of municipal concern.

SEC. 241. SIZES OF COUNCIL, BOARD OF PRESIDENTS AND BOROUGH BOARDS ~~SIZE~~.

The Council shall consist of 15 members, elected by districts as provided elsewhere in the Charter. The Council shall be terminated on July 1, 2003.

The Board of Presidents shall consist of the nine Presidents of the Borough Boards.

The nine Borough Boards shall each consist of five Borough Representatives.

SEC. 242. CONDUCT OF BUSINESS.

The Council or, after July 1, 2003, the Board of Presidents shall be the sole judge of the election and qualification of its members. Meetings and records of the proceedings of the Council and of the committees of the Council shall be open to the public, except that closed sessions may be held as permitted by law. The Council or the Board of Presidents shall have the exclusive power to organize its business, prescribe the rules of its proceedings and preserve order at its meetings, subject to the following:

(a) The Council shall hold regular meetings at least three days each week. After July 1, 2003, the Board of Presidents shall meet every other week, and the Borough Boards shall meet at least once a week. Meetings of the Council or the Board of Presidents may be held in City Hall or elsewhere in the City. After July 1, 2003, the Borough Boards shall establish a Borough Hall within its Borough at which meetings shall be held. The Borough Boards shall in every way possible encourage local, county, and regional governmental entities, including but not limited to the Neighborhood Councils, Los Angeles County, Los Angeles Unified School District, and the Metropolitan Transportation Authority, to locate their offices at the Borough Halls, to conform their local service boundaries to those of the Boroughs and to develop facilities that are jointly used by one or more governmental entities. By resolution, the Council or, after July 1, 2003, the Board of Presidents may establish periods during which the Council or

Board of Presidents or its committees will be in recess. The Council or the Board of Presidents and its committees may also each hold special meetings with proper notice.

(b) The Council or, after July 1, 2003, the Board of Presidents and the Borough Boards, by ordinance or resolution, shall establish a sufficient number of committees to enable it to carry out its duties. The duty of the Council or the Board of Presidents and Borough Boards and ~~its~~ their committees is to become fully informed of the business of the City so as to oversee all the functions of the City government, and to report to the Council, the Board of Presidents and Borough Boards any information or recommendations necessary to enable the Council or the Board of Presidents to properly legislate. Committees shall have the power of investigation, but shall have no administrative control over the various functions of the City government. The administration of the City government shall be vested in the officials designated in the Charter to perform those functions. The President of the Council or the Chair of the Board of Presidents and the Presidents of the Borough Boards shall appoint the members and the chair of the committees and each Council member or each Borough President and Borough Representative shall be appointed to at least one committee.

SEC. 243.1. PRESIDENT AND PRESIDENT PRO TEMPORE.

(a) The Council or, July 1, 2003, the Board of Presidents shall elect one of its members as presiding officer, who shall be called the President of the Council or the Chair of the Board of Presidents. Any Borough President selected as Chair of the Board of Presidents shall hold the office for two years, however, a Borough President may be selected to serve a consecutive term or subsequent terms as Chair of the Board. In case of any vacancy in the office of Mayor pending appointment and qualification of a successor, or in case of unavailability due to sickness, absence from the state, or disability of the Mayor, the President of the Council or the Chair of the Board of Presidents shall act as Mayor of the City. The President of the Council or the Chair of the Board of Presidents, while acting as Mayor, shall not lose his or her rights as a member of the Council or the Board of Presidents.

(b) The Council or, after July 1, 2003, the Board of Presidents shall elect one of its members "President Pro Tempore" or "Chair Pro Tempore" who shall act as presiding officer in the absence of the President of the Council or the Chair of the Board of Presidents and, in case of vacancy in the office of President of the Council or the Chair of the Board of Presidents, or in the case of unavailability due to sickness, absence from the state or disability of the President of the Council or the Chair of the Board of Presidents, shall exercise the powers and duties of the President of the Council or the Chair of the Board of Presidents under the provisions of this section.

(c) The Council or, after July 1, 2003, the Board of Presidents shall provide by ordinance for the succession from among its members to the powers and duties of the President Pro Tempore or the Chair Pro Tempore in case of unavailability due to sickness, absence from the state or disability of the President Pro Tempore or the Chair Pro Tempore, or in the case of a vacancy in that office.

SEC. 243.2. BOROUGH PRESIDENT AND BOROUGH PRESIDENT PRO TEMPORE.
(a) After July 1, 2003, each Borough Board shall elect one of its members as presiding officer, who shall be called the Borough President and who shall represent the Borough on the Board of Presidents. Any Borough Representative selected as Borough President shall hold the office for two years, however, a Borough Representative may be selected to serve a consecutive term or subsequent terms as Borough President.

(b) Each Borough Board shall elect one of its members "Borough President Pro Tempore" who shall act as presiding officer in the absence of the Borough President and, in case of vacancy in the office of Borough President, or in the case of unavailability due to sickness, absence from the state or disability of the Borough President of the Council, shall exercise the powers and duties of the Borough President under the provisions of this section.

(c) Each Borough Board shall provide by ordinance for the succession from among its members to the powers and duties of the Borough President Pro Tempore in case of unavailability due to sickness, absence from the state or disability of the Borough President Pro Tempore, or in the case of a vacancy in that office.

SEC. 255. DELIVERY OF SERVICES IN THE BOROUGHS.
(a) **Citywide Departments**
The following are Citywide Departments that operate at the direction of the Mayor and the Board of Presidents as determined by the City Charter. The Citywide Departments shall have a departmental representative at each Borough Hall unless the Board of Presidents determines otherwise. The Board of Presidents may, by ordinance, provide that neighborhood services delivered by the Citywide Departments (for example, the Department of Transportation's DASH service) be coordinated by the Borough Boards.

Airport Department
Building and Safety Department
City Administrative Officer
City Clerk
City Employees' Retirement System
City Ethics Commission
City Planning Department
Commission on the Status of Women
Cultural Affairs Department
Employee Relations Board
Environmental Affairs Department
Fire Department
General Services Department
Harbor Department
Human Relations Commission
Information Technology Agency
Department of Pensions
Personnel Department

Police Department
Public Works Department
Treasurer
Transportation Department
Department of Water and Power

(b) **Local Departments**

The following are Local Departments that operate at the direction of the Borough Boards as provided by the City Charter. The Board of Presidents shall make an equitable distribution based on need, population and demographics in the City Budget of all funds appropriated for the delivery of neighborhood services by the Local Departments to the Borough Boards. The Borough Boards shall determine the manner in which these services shall be delivered within the Boroughs. To the extent deemed appropriate by the Board of Presidents, the Local Departments may provide supplemental centralized services to the Boroughs.

Department of Aging
Animal Regulation Department
Community Development Department
Community Redevelopment Agency
Cultural Affairs Department
Housing Authority
Housing Department
Library
Department of Parks and Recreation

(c) **Special Subject Departments**

The following Special Subject City Departments and the Board of Presidents, at its discretion, may require that the delivery of services be coordinated through the one or more Borough Boards:

El Pueblo de Los Angeles Historical Monument Authority Department
Zoo Department

(d) **Evaluations**

The Borough Boards shall regularly evaluate the delivery of services by City Departments included in this section in the Boroughs, and submit the evaluation to the Board of Presidents, and the pertinent City Departments and Boards of Commissioners.

ARTICLE V

DEPARTMENTS

GENERAL PROVISIONS RELATED TO DEPARTMENTS

CITY PLANNING DEPARTMENT

SEC. 551. CITY PLANNING COMMISSION.

The Board of Commissioners of the City Planning Department shall be known as the City Planning Commission and shall consist of nine members.

It shall:

(a) give advice and make recommendations to the Mayor, Council or, after July 1, 2003, the Board of Presidents and Borough Boards, Director of Planning, municipal departments and agencies with respect to City planning and related activities and legislation;

(b) make recommendations concerning amendment of the General Plan and proposed zoning ordinances in accordance with Sections 555 and 558;

(c) make reports and recommendations to the Council or, after July 1, 2003, the Board of Presidents and Borough Boards and to other governmental officers or agencies as may be necessary to implement and secure compliance with the General Plan; and

(d) perform other functions prescribed by the Charter or ordinance~~.~~ ; and

(e) by December 31, 2004, review the General Plan and make recommendations to the Board of Presidents as to amendments to the Plan that should be made with regard to the definition of "regional projects" and to increase the specificity of the Plan given the ability of the Borough Boards to approve zoning ordinances not inconsistent with the Plan after December 31, 2004.

SEC. 552. AREA PLANNING COMMISSIONS.

The Council shall adopt an ordinance creating not less than five separate bodies to be known as Area Planning Commissions. The ordinance shall establish the boundaries of the area to be served by each Area Planning Commission, which shall be drawn so that all areas of the City are served by an Area Planning Commission. After July 1, 2003, the Board of Presidents shall adopt an ordinance creating not less than nine separate bodies to be know as Area Planning Commissions, and the boundaries of each Area Planning Commission shall conform to the boundaries of the nine Boroughs. Each Area Planning Commission shall consist of five members. Members shall be appointed and removed in the same manner as members of the City Planning Commission, except that residency in the area served by the Area Planning Commission shall be a qualification for appointment. Except as provided in Subsection (d), Area Planning Commissions are quasi-judicial agencies.

Each Area Planning Commission, with respect to matters concerning property located in the area served by the Area Planning Commission, shall have and exercise the power to:

(a) hear and determine appeals where it is alleged there is error or abuse of discretion in any order, requirement, decision, interpretation or other determination made by a Zoning Administrator;

(b) hear and make determinations on any mater normally under the jurisdiction of a Zoning Administration when that matter has been transferred to the jurisdiction of the Area Planning Commission because the Zoning Administrator has failed to act within the time limits prescribed by ordinance;

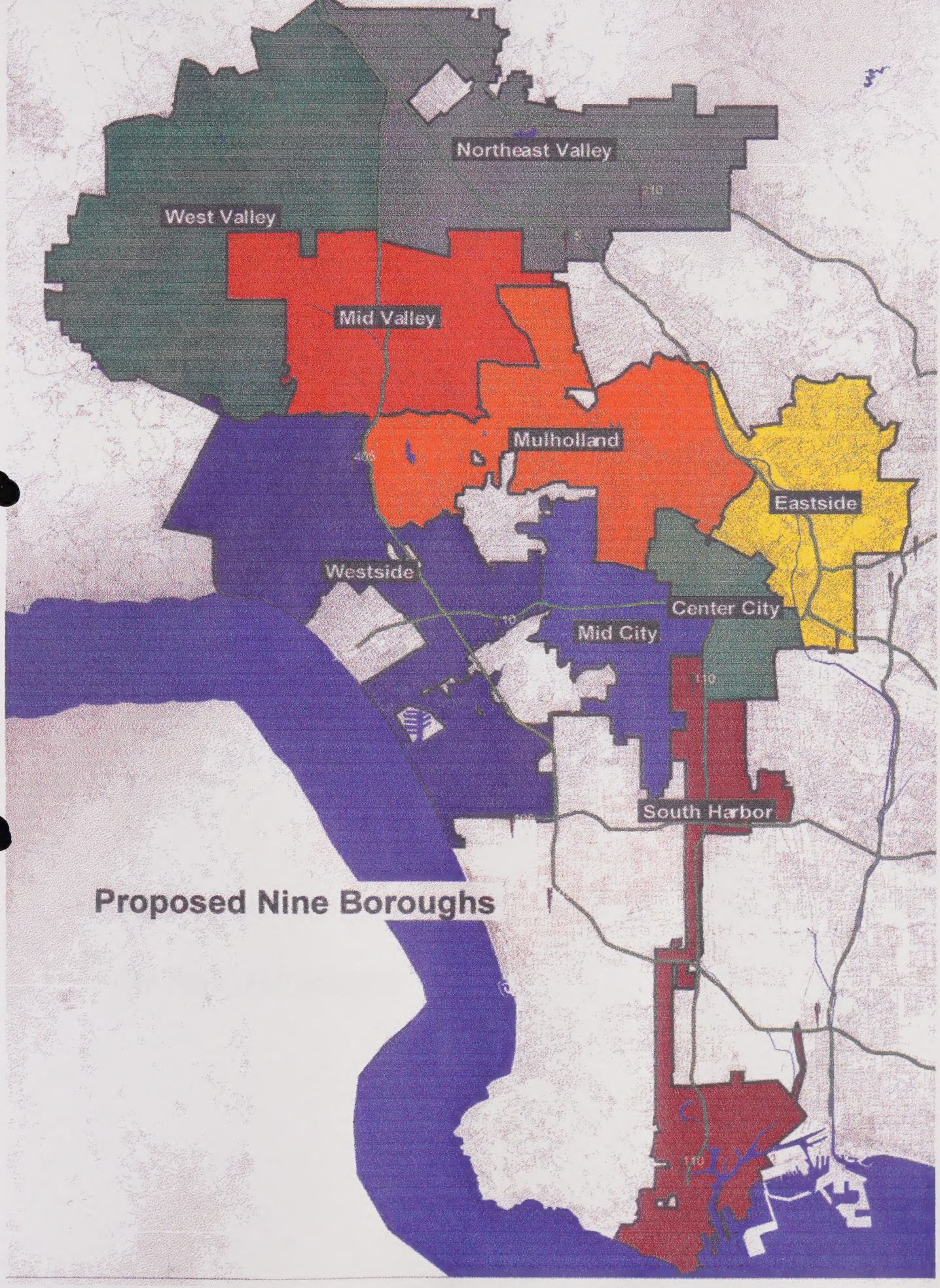
(c) hear and determine applications for, or appeals related to, conditional use permits and other similar quasi-judicial approvals, in accordance with procedures prescribed by ordinance;

(d) make recommendations with respect to zone changes or similar matters referred to it from the City Planning Commission pursuant to Section 562; and

(e) hear and determine other matters delegated to it by ordinance.;

(f) shall make recommendations to the Board of Commissioners of the City Planning Department with respect to City planning and related activities and legislation as these effect the specific Borough.

(g) shall make recommendations, after December 31, 2004, to its corresponding Borough Board as to zoning ordinances for its Borough that are not inconsistent with the General Plan.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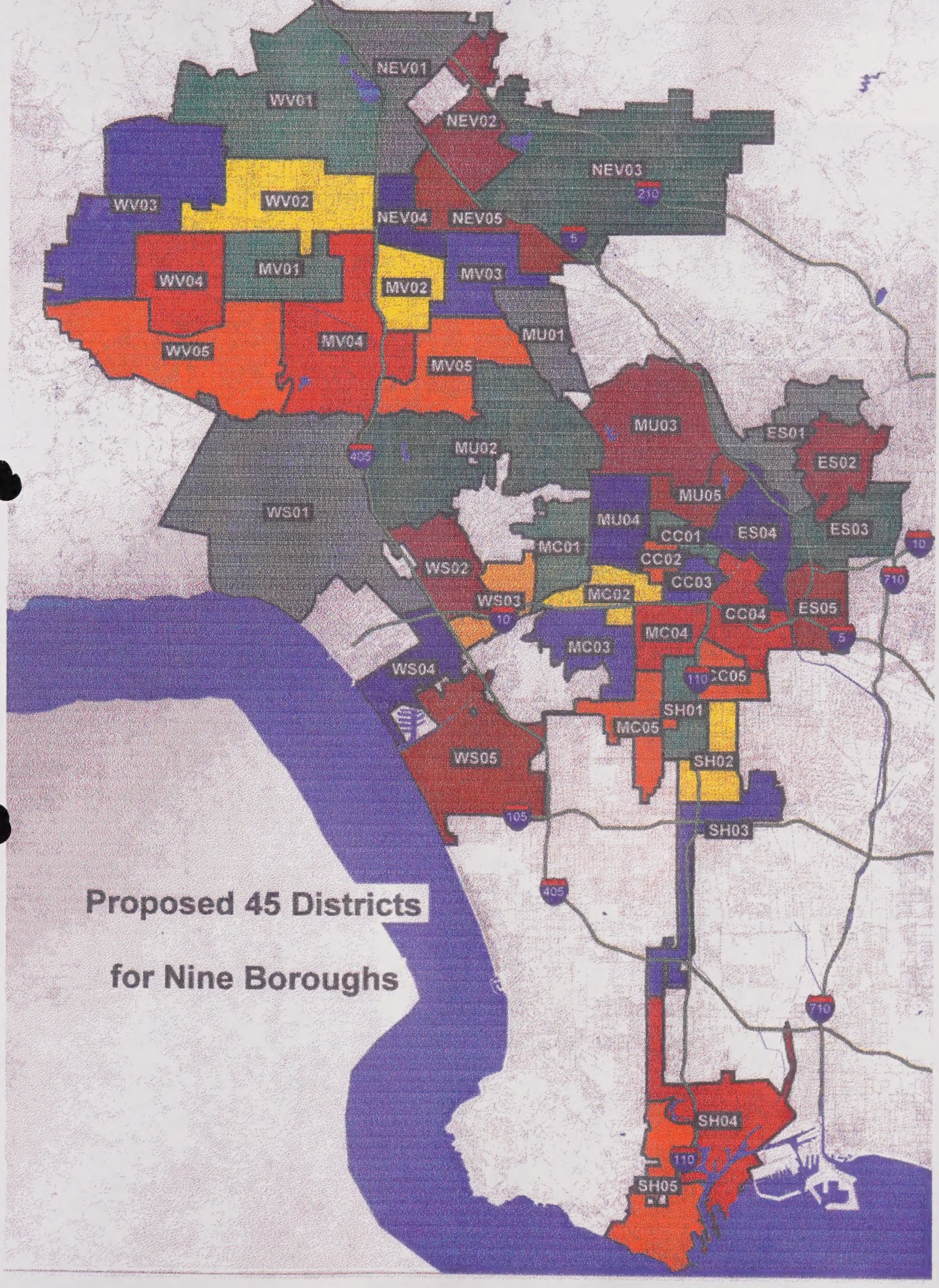
Proposed Nine Boroughs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Proposed 45 Districts
for Nine Boroughs

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